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# Fax

To: Mail Stop Appeal Brief--Patents  
Examiner Sujoy K. Kundu

From: Mikio Ishimaru

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Pages: 31, including this page

TC 2863 - After Final

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Date: February 27, 2006

Re: U.S. Patent Application Serial No.  
10/817,300

Atty. Docket no.: H0819

☒ Appeal Brief in Response to Notice of Appeal filed December 27, 2005

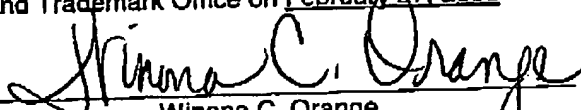
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### Certificate of Transmission under 37 CFR 1.8

I hereby certify that this correspondence is being facsimile transmitted to the United States Patent and Trademark Office on February 27, 2006

  
Winona C. Orange

With reference to serial number 10/817,300, the following are being submitted:

- Fax Cover Sheet with Certificate of Transmission (1 page)
- Transmittal for Enclosures (2 pages)
- Appeal Brief (28 pages)

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PATENT

Docket No.: H0819

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Jeffrey P. Erhardt et al. : Confirmation No.: 1884  
 Serial No.: 10/817,300 : Examiner: Sujoy K. Kundu  
 Filed: Apr 2, 2004 : Group Art Unit: 2863  
 For: METHOD AND APPARATUS FOR  
 USING CLUSTERING METHOD TO  
 ANALYZE SEMICONDUCTOR  
 DEVICES

TRANSMITTAL FOR ENCLOSURES (check all that apply)		
<input type="checkbox"/> Response / Amendment	<input type="checkbox"/> Assignment Papers (for an Application)	<input type="checkbox"/> After Allowance Communication to Group
<input type="checkbox"/> After Final	<input type="checkbox"/> Drawing(s)	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences
<input type="checkbox"/> Affidavits/Declaration(s)	<input type="checkbox"/> Licensing-related Papers	<input checked="" type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief)
<input type="checkbox"/> Extension of Time Request	<input type="checkbox"/> Petition	<input type="checkbox"/> Proprietary Information
<input type="checkbox"/> Express Abandonment Request	<input type="checkbox"/> Terminal Disclaimer	<input type="checkbox"/> Status Letter
<input type="checkbox"/> Information Disclosure Statement, PTO Form-1449, & cited Reference(s)	<input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address	<input checked="" type="checkbox"/> Other Enclosure(s) (please identify below):
<input type="checkbox"/> Certified Copy of Priority Document(s)	<input type="checkbox"/> Petition to Convert to a Provisional Application	• Fax Cover Sheet with Certificate of Transmission
<input type="checkbox"/> Response to Missing Parts/Incomplete Application	<input type="checkbox"/> Request for Refund	
<input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	Remarks	

The fee, if required, has been calculated as shown below:

	NO. OF CLAIMS	HIGHEST PREVIOUSLY PAID FOR	EXTRA CLAIMS	RATE	FEE
Total Claims	20	20	0	x \$50 =	\$ 0.00
Independent Claims	4	4	0	x \$200 =	\$ 0.00
If multiple claims newly presented, add \$300					
Fee for extension of time					\$500.00
Other: APPEAL BRIEF					
TOTAL FEE					\$500.00

- ☒ Please charge Deposit Account No. 01-0365 in the amount of \$500.00. An additional copy of this transmittal sheet is submitted herewith.
- ☒ The Commissioner is hereby authorized to charge payment of any fees associated with this communication or credit any overpayment, to Deposit Account No. 01-0365, including any filing fees under 37 CFR 1.16 for presentation of extra claims and any patent application processing fees under 37 CFR 1.17.

Respectfully submitted,

*Mikio Ishimaru*

Mikio Ishimaru  
 Registration No. 27,449  
 Date: February 27, 2006

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Docket No.: H0819

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of:	Jeffrey P. Erhardt et al.	:	Confirmation No.:	1884
Serial No.:	10/817,300	:	Art Unit:	2863
Filed:	4/2/2004	:	Examiner:	Sujoy K. Kundu
For:	METHOD AND APPARATUS FOR USING CLUSTERING METHOD TO ANALYZE SEMICONDUCTOR DEVICES			

Mail Stop Appeal Brief - Patents  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**APPEAL BRIEF**

Sir:

The following Appeal Brief is submitted pursuant to the Notice of Appeal filed  
December 27, 2005 in the above-identified Application.

**BEST AVAILABLE COPY**

Serial No.: 10/817,300  
Group Art Unit: 2863

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